

March 14, 2002

Dear Depository Library Director:

One of the changes in the wake of the September 11 attacks has been a heightened awareness of information security issues, and increased tension between the goal of free public access to Government information and the need to safeguard sensitive information. Since this issue has received so much attention of late, I would like to inform you of the U.S. Government Printing Office's (GPO) policies and procedures regarding the FDLP publications in depository library collections and the FDLP Electronic Collection. As one of 1,309 depository libraries in the Nation, your library plays an important role in informing the American public about our Government.

The U.S. Government Printing Office is entrusted by Congress with the stewardship of depository materials for free distribution and public access. GPO acts as an agent of Federal publishing agencies, which make decisions to produce Government publications of public interest and educational value and thus appropriate for distribution to depository libraries. Agency publications that are classified, for official use or administrative use only are not in scope for the FDLP.

Over the last two decades there has been an average of two tangible publications a year that GPO has been asked to remove from depository collections. Only the Public Printer and the [Superintendent of Documents](#) can legitimately order a library to withdraw a document from its depository collection.

When an agency requests that a title be withdrawn, we follow established policies and procedures for the withdrawal of documents from the FDLP. Under the FDLP, the Government may request the removal of materials from depository libraries since the law (chapter 19 of Title 44) indicates that all FDLP materials remain Government property. Requests to withdraw happen rarely, however. Since FY 1995, the GPO has distributed 230,019 tangible product (print, microfiche, and CD-ROM) titles to depository libraries, and recalled just 20 (16 to be destroyed, 3 returned to the agency, 1 removed from shelves). Such actions are taken only on the request of the issuing agency, most commonly because the titles contain information that is erroneous or has been superseded.

The Office of the Superintendent of Documents has no statutory ability to deny agency document withdrawal requests. Instead, my office works through a process with the issuing agency. We first verify that the title was distributed through the FDLP. Then we discuss the reasons for the recall, and inform the agency of recall options. Finally we inform the agency that GPO must receive an official request in writing. Only after GPO receives an agency request in writing do we request the item be withdrawn from depository library collections.

Many of the questions raised in recent months have concerned the U.S. Geological Survey CD-ROM entitled *Source Area Characteristics of Large Public Surface-Water Supplies in the Conterminous United States: An Information Resource for Source-Water Assessment, 1999*, which, by my letter dated October 12, 2001, I requested depository libraries to withdraw from their collections and destroy. My letter was issued pursuant to a letter from the USGS, dated October 5, 2001, which asked the GPO to "request that depository libraries receiving the [Source-Water CD-ROM] be instructed to destroy their copies." When a member of the library community questioned the USGS on the need for this action, a USGS e-mail reply dated October 31, 2001, said: "Subsequent contact with the Government Printing Office and the USGS Committee that sets official policy on restriction of sensitive information has reconfirmed the validity of the original written instruction from USGS and GPO to destroy the report."

The October 12 letter went to the 335 Federal depository libraries that had selected this document for their collections. The letter was subsequently published in our publication "Administrative Notes," which is made available to the entire depository library community and is posted online on the GPO's Web site, at [http://www.access.gpo.gov/su\\_docs/fdlp/pubs/adnotes/ad101501.html#7](http://www.access.gpo.gov/su_docs/fdlp/pubs/adnotes/ad101501.html#7).

My request applied only to copies of the Source Water CD-ROM distributed under the FDLP. GPO has no authority over copies of publications acquired through channels other than the FDLP.

You may be aware that agents of the Federal Bureau of Investigation visited some depository libraries in Arkansas, to verify that the USGS CD-ROM had been destroyed. These visits were apparently initiated by the FBI, and took place without USGS' or GPO's knowledge or participation.

Additional concerns have been raised regarding the sensitivity of some of the Nuclear Regulatory Commission microfiche in selected libraries. For several months we have been in communication with the Commission staff regarding the need to remove any of this material or impose access restrictions. Until NRC, as the responsible agency, completes their review process and asks that any titles be withdrawn from depository collections, GPO requires that depository libraries provide normal levels of public access to the NRC material. There is no statutory basis, nor is it consistent with the public purpose of the FDLP, for GPO or depository libraries to impose ad hoc access controls or restrictions on particular public documents.

GPO has not been asked to withdraw any online titles on our Web site. A few agencies have removed electronic information products that we have cataloged and pointed to as part of the FDLP/Electronic Collection. We are redirecting the PURLs to agency notices or our own notice to explain the situation. A partner agency, the Department of Energy Office of Scientific and

Technical Information, has pulled over 5,800 research reports from three national laboratories that were included in the Information Bridge. We have requested that these be reviewed and returned, as appropriate, for public access. Other agency withdrawals have been information beyond the purview of the FDLP.

In partnership with Federal depository libraries, the GPO has been the Government's agent for providing public access to Government information for nearly two centuries. The GPO takes very seriously any Federal agency's request to restrict access to Government information that has been made public. However, the GPO also has a duty under the law to cooperate with Federal agencies in the appropriate distribution of the information they publish. As with all previous requests, any future agency withdrawal requests will be handled in accordance with law and established policy.

Thank you for your participation in the FDLP. If you have questions or concerns about these issues, or wish to discuss any aspect of the FDLP, please do not hesitate to contact me on 202-512-0571, or by email at <fbuckley@gpo.gov>.

Sincerely yours,

FRANCIS J. BUCKLEY, JR.  
Superintendent of Documents

Copy to:  
Federal Depository Library Coordinator